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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,967	01/03/2002	Wallace Yang	MR933-559	9130

4586 7590 04/08/2004

ROSENBERG, KLEIN & LEE
3458 ELLICOTT CENTER DRIVE-SUITE 101
ELLICOTT CITY, MD 21043

EXAMINER

NGUYEN, DUC M

ART UNIT	PAPER NUMBER
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2685

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DATE MAILED: 04/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/033,967

Applicant(s)

YANG, WALLACE

Examiner

Duc M. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

Figure 1a should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Makridakis** (US 6,693,899) in view of **Anttila** (US 6,370,394).

Regarding claim 1, **Makridakis** discloses a method and apparatus for providing voice over internet protocol (VoIP) from a wireless transceiver (see Fig. 1 and Abstract), comprising

- a wireless telephone module (see Fig. 1 and col. 4, lines 40- 46);

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- an analog/digital converter (see Fig. 3 and col. 5, line 60 – col. 6, line 16);
- a compression/decompression unit (see col. 7, lines 10-60);
- a CPU as claimed (inherent features, also see col. 7, lines 31-60);
- a signal being activated by the wireless phone module for the embedded CPU to process and control voice information (see col. 9, lines 9-16).

However, **Makridakis** fails to disclose the wireless transceiver 18 is the cellular phone. However, utilizing a cellular phone for wirelessly connection with a device or module connecting to PSTN network is well known in the art as disclosed by **Anttila** (see Figs. 2-4 and col. 7, line 63 – col. 8, line 5). Therefore, it would have been obvious to one skill in the art at the time the invention was made to incorporate the above teaching of **Anttila** to **Makridakis** for replacing the wireless transceiver with a cellular phone as well, so that the same device can be used as terminal devices in the telecommunication system equally well while connected to telecommunication networks realized using line connections in an office as wirelessly outside the office (see **Anttila**, col. 3, lines 35-40).

Regarding claim 2, it is rejected for the same reason as set forth in claim 1 above. In addition, it is clear that **Makridakis** would disclose the step of online connection determination as claimed (see col. 9, lines 14-31). Further, since **Anttila** discloses the step of matching IP addresses (code check) for determining access permission (see col. 10, lines 60-66), it would have been obvious to one skill in the art to further incorporate the above teachings of **Anttila** and **Makridakis** for providing procedures as claimed, in order to provide online connections while preventing frauds.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Miner et al (US Pat No. 6,690,655), Low power communication system and method of operation.

Jones et al (US Pat No. 6,141,341), Voice over Internet protocol telephone system and method.

Anttila et al (US Pat No. 6,584,510), Computer and a method of operating a computer.

Zicker (US Pat No. 5,774,805), Multi-mode communication network with handset-selected channel assignments.

Torrey et al (US Pat No. 6,466,799), Premises telephone interface system for communicating using a hand-held wireless device.

4. **Any response to this action should be mailed to:**

Commissioner of Patent and Trademarks

Washington, D.C. 20231

or faxed to:

703-872-9314 (for formal communications intended for entry)

(for informal or draft communications, please label PROPOSED or DRAFT)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

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Drive, Arlington VA, Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc M. Nguyen whose telephone number is 703-306-4531. The examiner can normally be reached on Monday-Thursday (9:30 AM – 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 703-305-4385. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Duc M. Nguyen
Apr 2, 2004

